

REMARKS

Claims 14 to 16 are now being considered (since claims 17 to 33 were previously restricted).

Applicants respectfully request reconsideration of the present application in view of this response.

As an initial matter, Applicants respectfully submit a newly executed Declaration/Power of Attorney, since the printed name of "Waldeman HANS" was reversed on the prior Declaration, although it was signed correctly. The new Declaration/Power of Attorney correctly prints the order of the name of inventor Waldemar HANS (which was signed correctly as Waldemar HANS). Any print error of the inventor name occurred without deceptive intent. Applicants respectfully request entry of the Declaration/Power of Attorney.

With respect to paragraph four (4), page two (2), claims 14 to 16 were rejected under 35 U.S.C. § 102(b) as anticipated by Wildeson, U.S. Patent No. 5,775,600.

Claim 14 as presented relates to a fuel injector, and includes a valve needle, a fixed valve seat surface, a valve-closure member that is actuated by the valve needle, in which the valve-closure member cooperates with the fixed valve seat surface to form a sealing seat. Claim 14 also includes a connecting piece, and a valve housing that at least partially encloses the connecting piece, the valve housing being joined to the connecting piece by a crimped connection. Claim 14 further provides that the connecting piece includes at least one notch, and the valve housing, under an axial stress, is crimped into the at least one notch.

It is axiomatic that for a claim to be anticipated under 35 U.S.C. § 102(b), a single prior art reference must describe each and every element of the claim in *exactly the same way*. (*See Lindeman Maschinenfabrik v. Am. Hoist and Derrick*, 730 F.2d 1452, 1458 (Fed. Cir. 1984) (emphasis added)). It is respectfully submitted that the Wildeson reference does not anticipate because it does not identically describe (or even suggest) each and every feature of claim 14. For example, the Wildeson reference does not identically describe (or even suggest) a valve housing that at least partially encloses the connecting piece, the valve housing being joined to the connecting piece by a crimped connection.

The Office Action asserts that Wildeson discloses a valve needle 50, a fixed valve seat surface 56, a valve-closure member 52, a connecting piece 60 having a notch 102 and a valve housing 42. The Wildeson reference purportedly provides a method and fuel injector enabling precision setting of valve lift, and in a first embodiment, a valve body shell 42 has

an adjacent locking groove 102. (Col. 6, lines 36 to 38). The material of the valve body shell 42 is displaced into the groove 102 as the valve lift is set. (Col. 6, lines 45 to 50). In a second embodiment, a locking groove 102A is adjacent to a diameter 114 which has an interference fit with a second diameter section 116 of the valve body 60A. (Col. 7, lines 18 to 20). The outer member 42A is made of a more yieldable material than the inner member valve body 60A to allow for a deflection of the member 42A when it is slid over the valve body 60A. (Col. 7, lines 27 to 32). A third embodiment provides a locking groove 102B in an outer valve body shell wherein a valve body shell 42B is made of a harder material than the valve body 60B so that a bulge 108B is formed from the valve body material. (Col. 7, lines 51 to 56). In each of these embodiments, none of the connections formed in the locking groove is a crimped connection, since all of the connections formed are lift-set (press-fit) connections.

It is respectfully submit that in each of the connections, an external diameter of an inner tube is larger than an inner diameter of an outer tube. One of the two tubes is then pressed onto or into the other tube. A groove (102A, 102B) is placed into one of the two tubes to capture deformed material from either of the inner or outer tube during the press, thereby allegedly locking the two tubes together. Accordingly, the Wildeson reference does not provide a crimped connection, and therefore does not identically describe all of the features of claim 14, so that it does not anticipate claim 14.

Claims 15 and 16 depend from claim 14, and are therefore allowable for at least the same reasons as claim 14.

In summary, claims 14 to 16 are allowable for the above reasons.

CONCLUSION

In view of the above, it is believed that the objections and the rejections have been obviated, and it is respectfully submitted that claims 14 to 16 are allowable. It is therefore respectfully requested that the objections and rejections be reconsidered and withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

Dated: 2/11/2003By: Richard L. MayerRichard L. Mayer
(Reg. No. 22,490)KENYON & KENYON
One Broadway
New York, New York 10004
(212) 425-7200

CUSTOMER NO. 26646

Reg. No.
33,865
Aaren C
DFO/SCA)

U.S. App. Ser. No. 09/762,665

[10191/1716]

AMENDMENT VERSION WITH MARKINGSIN THE CLAIMS:

Without prejudice, please amend the claims as follows:

14. (Amended) A fuel injector, comprising:
- a valve needle;
 - a fixed valve seat surface;
 - a valve-closure member that is actuated by the valve needle[;], wherein the
[a] valve-closure member [cooperating] cooperates with the fixed valve seat surface to form a sealing seat;
 - a connecting piece; and
 - a valve housing that at least partially encloses the connecting piece, the valve housing being joined to the connecting piece by a crimped connection, wherein:
 - the connecting piece includes at least one notch, and
 - the valve housing, under an axial stress, is crimped into the at least one notch.